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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,534	08/21/2003	David L. Stockert	3562-000036	8487

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EXAMINER

STINSON, FRANKIE L

ART UNIT	PAPER NUMBER
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1746

MAIL DATE	DELIVERY MODE
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07/13/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/646,534

Applicant(s)

STOCKERT

Examiner

FRANKIE L. STINSON

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-13, 15-17 and 20-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13, 15-17 and 20 is/are allowed.
- 6) ☒ Claim(s) 1, 10-12 and 21-28 is/are rejected.
- 7) ☒ Claim(s) 2-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/17/07
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 21 and 24 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Nakamura et al. (U. S. Pat. No. 4,821,753) .

Re claims 1 and 21 for example, note that Nakamura discloses an industrial parts washer for cleaning a part, the industrial parts washer comprising:

a stand (142, see fig. 11) adapted to support the part in a cantilever manner;
a chamber (100);

where a stand part (9) is selectively moveable in a direction substantially parallel to the ground from a first position to a second position engaging said chamber, said stand and said chamber forming a sealed volume encapsulating the part when said stand is in said second position; and

a chamber (100) selectively moveable in a direction substantially parallel to the ground from a first position clear of the part to a second position engaging said stand (col.5, line 62, thru col. 6, line 40), said stand and said chamber forming a sealed volume encapsulating the part and said chamber having a bottom extending beneath the part when said chamber is in said second position; and

a nozzle (117) coupled to a pressurized fluid supply, said nozzle being positioned within said chamber and moveable relative to the part (as moved by the chamber), circumferentially encompassing the part

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Nakamura et al. in view of Marshall (U. S. Pat. No. 2,681,069).

Claim 10 defines over Nakamura only in the recitation of the transparent chamber.

Marshall discloses the transparent chamber as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the chamber in Nakamura, to be transparent as taught by Marshall, for the purpose of allowing the user to visualize the washing process.

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Nakamura et al. in view of EPO'307 (European Patent Office 0 022 307).

Claim 11 defines over Nakamura only in the recitation of the circulation and filtration system. EPO'307 discloses circulation and filtration system as claimed. EPO'307 is cited disclosing the circulation and filtering system as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the arrangement of Nakamura, to include a circulation and filtration system as taught by EPO'307, for the purpose of reusing the cleaning fluid, thereby efficiently washing the part.

6. Claims 12, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Nakamura et al. in view of EPO'525 (European Patent Office 0 110 525).

Claims 12, defines over Nakamura only in the recitation of the exhaust system.

EPO'525 discloses exhaust system as claimed (page 6, lines 11-12. It therefore would have been obvious to one having ordinary skill in the art to modify the arrangement of Nakamura, to include an exhaust system as taught by EPO'525, for the preventing the escape of harmful material into the environment. Re claims 22 and 23, EPO'525 discloses the rotatable hub.

7. Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al. in view of Russia'384 (Russia 2 018 384).

Claims 26 and 26 define over Nakamura only in the recitation of the movable nozzle, Russia'384 discloses the movable nozzle as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the arrangement of Nakamura, to include movable nozzle as taught by Russia'384, for the purpose of enhancing the cleaning process.

8. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 26 above, and further in view of EPO'525.

Claim 27 defines over the applied prior art only in the recitation of vacuum/exhaust system. EPO'525 is therefore cited as applied to the subject matter of claim 12 above.

9. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is

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(571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fls



FRANKIE L. STINSON
Primary Examiner
GROUP ART UNIT 1746